

1
2
3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 1597 ASHFIELD VALLEY TRUST, et al.,

8 Plaintiff(s),

9 v.

10 FEDERAL NATIONAL MORTGAGE
11 ASSOCIATION SYSTEM, et al.,

12 Defendant(s).

Case No. 2:14-CV-2123 JCM (GWF)

ORDER

13
14 Presently before the court is Magistrate Judge Foley's report and recommendation that
15 "Plaintiff 1597 Ashfield Valley Trust's Complaint (ECF No. 1-1) be dismissed and default
16 judgment on Defendants' counterclaims be entered against Plaintiff 1597 Ashfield Valley Trust."
17 (ECF No. 143 at 2) (emphasis omitted). No timely objections have been filed to the report and
18 recommendation.

19 This court "may accept, reject, or modify, in whole or in part, the findings or
20 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). If a party fails to object to a
21 magistrate judge's report and recommendation, however, the court is not required to conduct "any
22 review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140,
23 149 (1985).

24 Indeed, the Ninth Circuit has recognized that a district court is not required to review a
25 magistrate judge's report and recommendation where no objections have been filed. *See United*
26 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
27 employed by the district court when reviewing a report and recommendation to which no
28 objections were made); *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003)

1 (reading the Ninth Circuit’s decision in *Reyna–Tapia* as adopting the view that district courts are
2 not required to review “any issue that is not the subject of an objection.”).

3 Nevertheless, this court finds it appropriate to engage in a *de novo* review to determine
4 whether to adopt the recommendation of the magistrate judge.

5 This court holds that the magistrate judge properly recognized that this court informed
6 plaintiff of its need to retain counsel to appear in federal court. (ECF Nos. 141, 143); *see also*
7 *Rowland v. California Men’s Colony, Unit II Men’s Advisory Council*, 506 U.S. 194, 202 (1993).

8 Accordingly,

9 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the report and
10 recommendation of Magistrate Judge Foley (ECF No. 143) be, and the same hereby are,
11 ADOPTED in their entirety.

12 DATED May 30, 2017.

13 
14 UNITED STATES DISTRICT JUDGE